

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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Progressive Enterprises, Inc./Castaways Yacht Club  
and  
The Sunseeker Club in Annapolis, Inc.

Plaintiffs,

-against-

M/Y CUQUITO (Hull ID No. TNRD1719J091), her  
engines, tackle, apparel, furniture, equipment, and all  
other necessities thereunto appertaining and belonging  
*in rem*;

The Sunseeker Club, Inc. *in personam*;

M/Y BACKCOVE29030 (Hull ID No. NEH29030G405),  
her engines, tackle, apparel, furniture, equipment and all  
other necessities thereunto appertaining and belonging  
*in rem*;

The Sunseeker Club at Castaways, Inc., *in personam*

Defendants.  
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**CIVIL NO. 08-3553-KMK-GAY**

**ECF CASE**

**NOTICE OF DISMISSAL AS TO  
IN PERSONAM DEFENDANTS**

Progressive Enterprises, Inc./Castaways Yacht Club and The Sunseeker Club in  
Annapolis, Inc. ("Plaintiffs"), by and through their attorneys, hereby dismiss this action as to *in personam* defendants The Sunseeker Club, Inc. and The Sunseeker Club at Castaways, Inc.

This dismissal is without prejudice and applies only to *in personam* defendants The  
Sunseeker Club, Inc. and The Sunseeker Club at Castaways, Inc.

Respectfully submitted,

PALMER, BIEZUP & HENDERSON LLP

Dated: New York, New York  
July 23, 2008

By: 

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